

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)
)
)
) No. 3:08-MJ-1092
V.) (SHIRLEY)
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)
)
Hector-Baron-Villa)
Tomas Bautista-Lopez)

ORDER OF TEMPORARY DETENTION

This matter came before the Court on defendant's initial appearance on an Information on December 12, 2008. Kelly Norris, Assistant United States Attorney, was present representing the government, Kim A. Tollison, Federal Defender Services was present representing defendant, Hector Baron-Villa and Gerald L. Gulley, Jr. was present representing defendant, Tomas Bautista-Lopez. The defendants were both present. The government moved for detention stating BICE has placed a detainer against both of the defendants. Both of the defendants signed a Waiver of Detention Hearing. Therefore, both of the defendants stated that they wished to waive their right to a detention hearing at this time but reserve the right to have a detention hearing at a later date, if appropriate, the defendants shall be detained. 18 U.S.C. § 3142(f)(2). Both the defendant's attorneys and the government's attorney agreed this situation constitutes good cause under 18 U.S.C. § 3142(f)(2), and the Court agrees. Therefore this detention hearing is continued indefinitely. Until that time, the defendants will remain in detention. The defendants stated they understood that they will remain in detention. The defendants have been informed that a

prompt hearing would be scheduled if they becomes eligible and requests a detention hearing. Both of the defendants requested a Preliminary Hearing. **This matter is set for December 18, 2008 at 2:00 P.M. for either a Preliminary Hearing or an Arraignment.**

Accordingly, The defendants are committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge